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By: 

(person *actually* depositing)

In the Application of: Rogers et al.

Serial No. 10/052,077

Filing Date: January 17, 2002

For: Passive Flow Control Devices for Implantable Pumps

- (X) Transmittal Form (1 page) in duplicate
- (X) Information Disclosure Statement (2 pages)
- (X) PTO Form SB/08A with cited references attached.
- (X) Return Receipt Postcard

Attorney Docket No: 11738.00052

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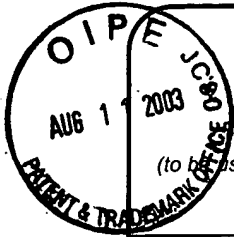
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PTO/SB/21 (08-00)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 10/052,077

Filing Date January 17, 2002

First Named Inventor Rogers

Group Art Unit 3763

Examiner Name Kevin C. Simmons

Total Number of Pages in This Submission

Attorney Docket Number 011738.00052

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ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

PTO Form SB/08A with cited referenced attached

Remarks

Being filed via Express Mail No.: EL941343971US

The Commissioner is hereby authorized to charge any deficiencies in payment or credit any overpayment to our Deposit Account 19-0733.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Scott A. Burow

Signature

Scott A. Burow

Date

August 11, 2003

CERTIFICATE OF MAILING

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Rogers et al.

Serial No.: 10/052,077

Filed: January 17, 2002

Group Art Unit: 3763

**For: Passive Flow Control Devices for
Implantable Pumps**

Examiner: Kevin C. Sirmons

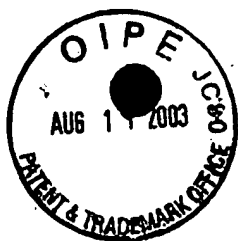
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R., 1.97 and 1.98, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R., 1.56. Copies of the references cited below are enclosed. The references are also listed on the enclosed and completed PTO Form 1449.

U.S. Patents

1. U.S. Patent No. 4,077,405; issued March 7, 1978;
2. U.S. Patent No. 4,193,397; issued March 18, 1980;
3. U.S. Patent No. 4,258,711; issued March 31, 1981;
4. U.S. Patent No. 4,838,887; issued June 13, 1989;
5. U.S. Patent No. 5,049,141; issued September 17, 1991;
6. U.S. Patent No. 5,281,210; issued January 25, 1994;
7. U.S. Patent No. 5,464,392; issued November 7, 1995;
8. U.S. Patent No. 5,820,589; issued October 13, 1998;
9. U.S. Patent No. 5,839,467; issued November 24, 1998.



Foreign Patents

1. DE 196 42 234 C1; issued April 30, 1998;
2. EP 0 134 614 A1; issued March 20, 1985;
3. PCT WO 91/16091 A1; issued October 31, 1991.

Respectfully submitted,

BANNER & WITCOFF, LTD

Dated: August 11, 2003

By: Scott Burow
Scott A. Burow
Reg. No. 42,373

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